IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Harumitsu MIYASHITA et al.

Group Art Unit: 2655

Appln No. : Not Yet Assigned (Continuation of 09/984,351)

Examiner: Gautam Patel

Filed : Concurrently Herewith

For : WAVEFORM EQUALIZER FOR A REPRODUCTION SIGNAL OBTAINED BY REPRODUCING MARKS AND NON-MARKS RECORDED ON A RECORDING MEDIUM

COMMENTS PRIOR TO EXAMINATION

Commissioner of Patents
Alexandria, VA. 22313

Sir:

Prior to an examination of the pending claims by the Examiner, Applicants submit the following comments for the Examiner's consideration.

Claims 1-4 of the present application correspond to claims 1-4 of prior parent application number 09/984,351. Claims 5 and 6 of the present application are based upon claim 5 in prior parent application number 09/984,351. Claims 1-5 of prior parent application number 09/984,351 were rejected by the Examiner under 35 U.S.C. §103 as being unpatentable over Applicants' "Admitted" Prior Art in View of U.S. Patent 6,480,447 to WAKABAYASHI. In order to advance the prosecution of the parent application, Applicants canceled, without prejudice, the rejected claims in the parent application, and re-submit them in the present continuation application.

Applicants submit that this rejection was erroneous. According to the instant invention, the equalizer of the present invention performs an equalization based on the characteristics on the mark side and the space (e.g., non-mark) side. Applicants submit that the art applied by the Examiner in the prior parent application fails to disclose (or even suggest, either singularly or in combination) this feature (e.g., performing equalization based on the characteristics on the mark side and the non-mark side).

The Examiner acknowledged in the prior parent application that Applicants' "Admitted" Prior Art does not disclose Applicants' equalization feature, but asserted that the feature is taught by WAKABAYASHI. Applicants submit that this assertion is erroneous WAKABAYASHI teaches that an equalization coefficient is changed based upon the length of a mark (see, for example, column 3, lines 58-66), which differs from Applicants' invention. Applicants further submit that WAKABAYASHI discloses that multiplication circuit 190-1 outputs equalization coefficient 191-1 corresponding to an absolute value of a reproducing signal 106 on the basis of a maximum value signal 211-1 of an equalization coefficient signal and its minimum value signal 212-1, that are given by coefficient generator 210-1 (see, for example, column 6, lines 53-61).

In the parent application, the Examiner relied on column 7, lines 6-25 of WAKABAYASHI as disclosing the discrimination of marks and non-marks. However, Applicants submit that column 7, lines 6-25 of Wakabayashi merely discloses a polarity circuit that outputs an equalization coefficient as an equalization coefficient with a polarity, in which the equalization coefficient is changed in accordance with the length of the mark.

This differs from Applicants' invention, in which the marks and non-marks are discriminated by a discriminator.

In view of the above, Applicants respectfully submit that the claims of the present application (which, as noted above, correspond to claims 1-5 from the prior parent application) are allowable over the rejection set forth in the prior parent application, and respectfully request such an indication from the Examiner.

Should the examiner have any questions, he is requested to contact the undersigned.

Respectfully submitted,
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